

HOUSE BILL No. 1547

DIGEST OF INTRODUCED BILL

Citations Affected: IC 13-11-2-27.3; IC 13-20-2-9.

Synopsis: Landfill proximity to a school. Places restrictions on the location of a landfill in proximity to a public school classroom building served by a well as the primary source of drinking water.

Effective: Upon passage.

Lutz J, Ayres, Kuzman

January 18, 2005, read first time and referred to Committee on Environmental Affairs.

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Introduced

First Regular Session 114th General Assembly (2005)

PRINTING CODE. Amendments: Whenever an existing statute (or a section of the Indiana Constitution) is being amended, the text of the existing provision will appear in this style type, additions will appear in **this style type**, and deletions will appear in ~~this style type~~.

Additions: Whenever a new statutory provision is being enacted (or a new constitutional provision adopted), the text of the new provision will appear in **this style type**. Also, the word **NEW** will appear in that style type in the introductory clause of each SECTION that adds a new provision to the Indiana Code or the Indiana Constitution.

Conflict reconciliation: Text in a statute in *this style type* or ~~this style type~~ reconciles conflicts between statutes enacted by the 2004 Regular Session of the General Assembly.

HOUSE BILL No. 1547

A BILL FOR AN ACT to amend the Indiana Code concerning environmental law.

Be it enacted by the General Assembly of the State of Indiana:

1 SECTION 1. IC 13-11-2-27.3 IS ADDED TO THE INDIANA
2 CODE AS A **NEW** SECTION TO READ AS FOLLOWS
3 [EFFECTIVE UPON PASSAGE]: **Sec. 27.3. "Classroom building",**
4 **for purposes of IC 13-20-2-9, means a public school classroom**
5 **building served by a well as the primary source of drinking water.**

6 SECTION 2. IC 13-20-2-9 IS ADDED TO THE INDIANA CODE
7 AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE
8 UPON PASSAGE]: **Sec. 9. (a) Subject to subsection (b), this section**
9 **applies to a landfill for which an application for an original permit**
10 **for construction is:**

11 (1) **filed after June 30, 2005; or**

12 (2) **filed before July 1, 2005, but not granted or denied by the**
13 **commissioner before July 1, 2005.**

14 **(b) This section does not apply to construction for the expansion**
15 **of an existing landfill.**

16 **(c) The department may not approve an application for an**
17 **original permit for construction of a landfill if the solid waste**

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1 boundary of the landfill is proposed to be located within one
2 thousand (1,000) feet of a classroom building for which
3 construction is finally approved by the governing body of the
4 public school before the date of action on the application by the
5 department. The measurement required by this subsection is made
6 from the point on the classroom building that is nearest to the solid
7 waste boundary of the proposed landfill.

8 (d) The solid waste management board may adopt rules under
9 IC 4-22-2 for the administration of this section.

10 SECTION 3. An emergency is declared for this act.

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